

alternative is accordingly not further considered.

#### Conclusion

The NRC staff has concluded that the proposed action is consistent with the NRC's unrestricted release criteria specified in 10 CFR 20.1402. Because the proposed action will not significantly impact the quality of the human environment, the NRC staff concludes that the proposed action is the preferred alternative.

#### Agencies and Persons Consulted

NRC provided a draft of this Environmental Assessment to the North Carolina Department of Environment and Natural Resources, Radioactive Materials Branch for review on February 13, 2008. On February 14, 2008, the North Carolina Department of Environment and Natural Resources responded by e-mail. The State agreed with the conclusions of the EA, and otherwise had no comments.

The NRC staff has determined that the proposed action is of a procedural nature, and will not affect listed species or critical habitat. Therefore, no further consultation is required under Section 7 of the Endangered Species Act. The NRC staff has also determined that the proposed action is not the type of activity that has the potential to cause effects on historic properties. Therefore, no further consultation is required under Section 106 of the National Historic Preservation Act.

### III. Finding of No Significant Impact

The NRC staff has prepared this EA in support of the proposed action. On the basis of this EA, the NRC finds that there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

### IV. Further Information

Documents related to this action, including the application for license amendment and supporting documentation, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The documents related to this action are listed below, along with their ADAMS accession numbers.

1. NUREG-1720, "Re-Evaluation of the Indoor Resuspension Factor for the

Screening Analysis of the Building Occupancy Scenario for NRC's License Termination Rule—Draft Report;"

2. NUREG-1757, "Consolidated NMSS Decommissioning Guidance;"

3. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination;"

4. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions;"

5. NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities" Volumes 1-3 (ML042310492, ML042320379, and ML042330385);

6. NRC License No. 45-23645-01NA inspection and licensing records.

7. Department of the Navy, Termination of Naval Radioactive Materials Permit No. 32-65923-S1NP issued to Naval Air Depot, Cherry Point, North Carolina, dated March 17, 2006 (ML060890561); and

8. Department of the Navy, Request Assistance in Preparing an Environmental Assessment for Termination of Naval Radioactive Materials Permit No. 32-65923-S1NP issued to Naval Air Depot, Cherry Point, North Carolina, dated May 21, 2007 (ML071450474).

If you do not have access to ADAMS, or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). These documents may also be viewed electronically on the public computers located at the NRC's PDR, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at King of Prussia, Pennsylvania this 8th day of May 2008.

For the Nuclear Regulatory Commission.

**Marie Miller,**

*Chief, Security and Industrial Branch,  
Division of Nuclear Materials Safety, Region I.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-305]

### Dominion Energy Kewaunee, Inc; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Dominion Energy Kewaunee, Inc. (the licensee), to withdraw its November 9, 2007 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML073180499), application for proposed amendment to Facility Operating License No. DPR-43 for the Kewaunee Power Station (KPS), located in Kewaunee County, Wisconsin.

The proposed amendment would have revised the license to allow the use of a methodology not currently approved for use at KPS for performing the seismic qualification analysis of the auxiliary building crane.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on December 18, 2007 (72 FR 71707). However, by letter dated April 11, 2008 (ADAMS Accession No. ML081050011), the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated November 9, 2007, and the licensee's letter dated April 11, 2008, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 9th day of May 2008.